

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Bail Appl..No. 4309 of 2007()

CRIME NO.170/07 OF KUNNAMANGALAM POLICE STATION,KOZHIKODE

.....

: PETITIONERS/ACCUSED

1. SAMEERA MUHAMMED SALAM, AGED 24,
D/O.SALAM, KUZHIYIL HOUSE, THIRUVAMBADI,
KOZHIKODE TALUK.
2. SITHARA M.P., AGED 23,
D/O.M.P.RAJAN, KODUVALLI VAYAL HOUSE,
B.G.ROAD, POST WEST HILL, CALICUT - 5.
3. MEETHU MIRIAM VARKEY, AGED 24,
D/O.VARKEY JOHN, CHIRAKAROT HOUSE,
M7/1, MALAPARAMBA HOUSING COLONY,
MALAPARAMBA, CALICUT - 9.

BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J.

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY S.I OF POLICE,
KUNNAMANGALAM POLICE STATION, KOZHIKODE
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 16/07/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

B.A.No.4309 of 2007

Dated this the 16th day of July, 2007

ORDER

Application for anticipatory bail. Petitioners are Lecturers in an Engineering College, where the victim, a student of the final year, committed suicide. It is alleged that the student committed suicide unable to stand the trauma of alleged detection of malpractices in an examination which was held in the college. The petitioners are allegedly responsible for such detection. The deceased had a grievance that she was not guilty of any indiscretion. Unable to stand the trauma of such allegedly unjustified allegations against her, she had consumed poison and put an end to her life. She had left a suicide note, in which this reason for the commission of suicide is explained. The crime has been registered under the caption 'unnatural death'. Investigation is in progress. The petitioners apprehend that they may be unjustifiably arrested as accused.

2. The learned Public Prosecutor after taking instructions submits that the police have no intention to arrest the petitioners now. They will have to be questioned to ascertain further details. No allegation of any offence has so far been raised against anyone. There is no allegation against the petitioners also. In these circumstances, it is submitted that this petition is unnecessary. The petitioners may be

directed to co-operate with the investigator and to make all necessary details available to them.

3. I accept the submissions of the learned Public Prosecutor that the petitioners are not required to be arrested in connection with Crime No.170 of 2007 of Kunnamangalam Police Station registered under the caption 'unnatural death'. The apprehension of the petitioners is found to be without any basis. This petition is accordingly dismissed. I do however direct that if the petitioners were required to be arrested on any later date, the same shall be done only after prior information to this Court and after taking further directions.

(R.BASANT, JUDGE)

rtr/-